

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**DONNIE W. STRINGFELLOW, II and
SANDRA A. STRINGFELLOW**

PLAINTIFFS

v.

No. 1:12-cv-84-DPM

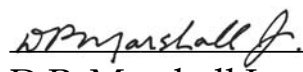
**FEDERAL NATIONAL MORTGAGE ASSN.
("FANNIE MAE") and JPMORGAN
CHASE BANK, N.A.**

DEFENDANTS

ORDER

Joint motion, *No. 26*, granted as modified. As the parties acknowledge in their briefs, the motion to dismiss implicates an issue currently on appeal in *JPMorgan Chase Bank, N.A. v. Johnson*, No. 12-2370, argued 15 January 2013. The Court believes the prudent course is to await guidance from the Court of Appeals. The issues, alas, will need to be rebriefed then. The Court would also appreciate discussion of the Stringfellows' standing: Would winning this suit benefit the Stringfellows, or only their unsecured creditors? Motion to dismiss, *No. 13*, denied without prejudice. The scheduling order is suspended, and the case is stayed.

So Ordered.



D.P. Marshall Jr.
United States District Judge

5 July 2013